

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

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DONNESIA BROWN,

*Plaintiff,*

**DECLARATION**

-against-

9:17-CV-1036  
(MAD/ATB)

THE STATE OF NEW YORK, THE NEW YORK STATE  
DEPARTMENT OF CORRECTIONS AND COMMUNITY  
SUPERVISION, NEW YORK STATE CORRECTIONS  
OFFICER MATTHEW CORNELL, Individually and in his  
Official capacity,

*Defendants.*

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Cheryl Parmiter, pursuant to § 1746 of Title 28 of the United States Code, declares the following to be true and correct under penalty of perjury under the laws of the United States of America:

1. I am employed by the New York State Department of Corrections and Community Supervision ("DOCCS"), at Auburn Correctional Facility ("Auburn"). I currently hold the title of Inmate Grievance Program Supervisor.

2. As the Inmate Grievance Program Supervisor, I am a custodian of the inmate grievance records maintained by Auburn.

3. Though not named as a party to this lawsuit, I submit this Declaration in support of Defendant's Motion for Summary Judgment.

4. At Auburn, inmates in the Special Housing Unit ("SHU") are afforded the ability to file grievances and participate in the grievance process. In accordance with 7 N.Y.C.R.R. §701.7 (DOCCS' Directive 4040), inmates in the Auburn SHU are provided inmate grievance complaint forms and envelopes upon request.

5. An Inmate Grievance Program staff member is required to make weekly rounds to all cells contained within the SHU. During those rounds, inmates can submit their grievances to the

staff member in a sealed envelope to ensure confidentiality.

6. The Attorney General's Office provided me with the Complaint in this matter [Dkt. 1], which I have reviewed.

7. At the request of the Attorney General's Office, a diligent search was conducted of grievance records received by the Inmate Grievance Program at Auburn for grievances filed by Plaintiff Donnesia Brown (DIN 11-A-4897). A copy of the grievance print-out for Inmate Brown is attached as **Exhibit "A"**.

8. My search revealed that while incarcerated at Auburn, Plaintiff filed a grievance on April 7, 2014, regarding a missing package. *See*, Ex. A.

9. However, my search also revealed that Plaintiff never filed any grievances during his incarceration at Auburn pertaining to an incident that allegedly occurred on January 21, 2016.

Dated: January 15, 2020  
Auburn, New York

  
CHERYL PARMITER